GOVERNMENT OF ANDHRA PRADESH
ABSRACT

PUBLIC SERVICES – PR&RD Department – Initiation of Disciplinary proceedings against Sri K.Anand, District Panchayat Officer, now under suspension, in accordance with Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) 1991 –Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.Rt.No. 899 **Dated:10/11/2022**

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ORDER :-

It is proposed to hold an inquiry against Sri K. Anand, District Panchayat Officer, now under suspension while working as Principal, ETC, Samalkota, East Godavari District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or mis-behaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri K. Anand, District Panchayat Officer, now under suspension is directed to submit his written statement of defense within (10) days from the date of receipt of this order.

4. Sri K.Anand, District Panchayat Officer, now under suspension is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri K. Anand, District Panchayat Officer, now under suspension is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him exparte, based on the material available on record.

6. Sri K.Anand, District Panchayat Officer, now under suspension, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri K. Anand, District Panchayat Officer, now under suspension is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(Contd.P-2)

7. The receipt of this orders shall be acknowledged along with Annexure-I, II, III & IV forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K. Anand, District Panchayat Officer, now under suspension through the Commissioner, PR&RD, Tadepalli, Guntur District.
The Commissioner, PR&RD, Tadepalli, Guntur District (With a request to serve the order on the charged officer and furnish acknowledgment with dated signature for record and also WSD if any.)
Copy to:
The PR&RD (Mandals-II) Dept.
The PS to Deputy CM, PR&RD.

//FORWARDED :: BY ORDER//

SECTION OFFICER

(PTO for Annexures)

ANNEXURE-I

STATEMENT SHOWING ARTICLES OF CHARGES FRAMED AGAINST SRI K. ANAND, DISTRICT PANCHAYAT OFFICER, NOW UNDER SUSPENSION.

Article – I

That Sri K.Anand, District Panchayat Officer now under suspension, while working as Principal, ETC, Samalkot, East Godavari District is appointed as State Nodal Officer for Devolution of powers, PESA besides SAGY and directed by the CPR&RD to report before him on 13.07.2020. But he has failed to report on 13.07.2020.

Article – II

That Sri K.Ananad, District Panchayat Officer, now under suspension, who is referred to Medical board for examination since applied leave on Medical Grounds w.e.f.13.07.2020 has not turned up to attend before the Regional Medical Board for Medical Examination scheduled on 06.08.2020.

Article – III

That Sri. K.Anand, District Panchayat Officer, now under suspension has failed to attend the duties and absent unauthorizedly from his official duties from 15.9.2020, after reporting before the Government on 10.08.2020 as per the orders issued in Govt. in G.O.Rt.No.457, Panchayat Raj and Rural Development (Mdl.II) Dept., Dt:05.08.2020 which is a serious lapse on his part.

Thus Sri. K.Anand, District Panchayat Officer, now under suspension by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule – 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR, IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI K. ANAND, DISTRICT PANCHAYAT OFFICER, NOW UNDER SUSPENSION.

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It is brought to notice that Sri K.Anand, District Panchayat Officer, while working as Principal, ETC, Samalkot, East Godavari District is appointed as State Nodal Officer for Devolution of powers, PESA besides SAGY in CPR's Memo No.37/CPR/E1/2020, dt:10.07.2020 and directed to report before the Commissioner, PR&RD on 13.07.2020. The said Memo was received by the individual through e-mail on the same day.

He has not reported before the Commissioner, PR&RD. Thus, he has failed to report before the Commissioner, PR&RD, A.P., Tadepalli which is a serious lapse on his part.

In G.O.Rt.No.457 PR&RD (Mdl.II) Dept., dt: 05.08.2020 orders were issued deputing Dr. M.Sudhakara Rao, Additional Commissioner, O/o Commissioner, PR&RD, A.P., presently working on OD basis as Additional Director, A.P., State Institute of Rural Development (APSIRD), Ibrahimpatnam to Extension Training Centre, Samalkot, duly relieving Sri K. Anand, Principal, ETC., Samalkot, on administrative grounds. It is also ordered therein that, on relieving, Sri K. Anand is directed to report before the Government.

In his Joining Report, dt:10.8.2020, Sri K. Anand, stating his designation as Principal, ETC, Samalkot (on leave) has submitted as follows:-

"As per the reference cited above, I was instructed to report before the Government.

I applied for medical leave on 13.7.2020 with severe backpain till 12.8.2020. As my back pain has eased up I am reporting to duty in obedience to the order given.

Therefore, I may be given posting at the earliest."

Subsequently, in the letter, dt:17.08.2020, while enclosing a medical certificate, Sri K.Anand stating his designation as Chief Executive Officer, (Vanastalipuram, Hyderabad) has stated that,

"in obedience to the orders issued in the reference 1st cited i joined duty on 10-08-2020. I humbly submit that my back pain relapsed and also I am suffering from vertigo and my doctor advised me to take rest for one month. I therefore request you to kindly sanction leave on medical grounds from 17.08.2020 to 15-09-2020. I am herewith enclosing my medical certificate for kind perusal."

The Government vide Memo.No. PRR01-PROPMIS/230/2020-Mdl-II, dt:24.8.2020, has instructed the Commissioner, PR&RD, A.P. to stop the payment of salaries in respect of the Charged Officer, until further orders, since he has not attending duties after his joining report.

After taking the stock of circumstances into consideration, vide G.O.Rt.No. 706, PR&RD (Vig.III) Dept, dt:1.12.2020, the Charged Officer is placed under suspension in exercise of the powers conferred under Sub-Rule (1) of Rule 6 of A.P. C.S. (CCA) Rules, 1991 and he shall continue under suspension, until further orders. The said suspension orders were communicated to the Charged Officer by the Commissioner, PR&RD, A.P vide Memo.No.1187561/CPR&RD/G1/2020, dt:3.12.2020. He is still continued under suspension.

On the other hand, vide Govt Memo. No. PRR01-PROPMIS/203/2020-Vig.III, PR&RD (Vig.III) Dept, dt:1.12.2020, the Commissioner, PR&RD, A.P. has been requested to refer the medical certificate produced by the Charged Officer to the Medical board for examination of genuineness.

The Commissioner, PR&RD, AP, vide letter No.1187561/CPR&RD/G1/2020, dt:2.7.2021 has reported to the Government that the Superintendent, Government General Hospital, Guntur vide Rc.No. 4011/G2/2020, dt:10.8.2020 has informed that, Sri K. Anand, DPO has not attended before the Regional Medical Board scheduled on 6.8.2020. In this regard, copy of Rc.No. 4011/G2/2020, dt:29.7.2020 of the Superintendent, Govt General Hospital, Guntur addressed to the Charged Officer regarding intimation of his appearance before the Regional Medical Board, Govt General Hospital, Guntur on 8.8.2020 by 9.30 AM has been received by the charged Officer on 6.8.2020.

The Commissioner, PR&RD, AP vide Memo No. 1187561/CPR&RD/ G1/2020, dt:4.8.2020 has also requested Sri K. Anand, DPO to attend before the Regional medical board, Govt General Hospital, Guntur on 6.8.2020 by 9.30 AM with the required documents as informed by the Superintendent, Govt General Hospital, Guntur without fail. This communiqué was also received by the Charged Officer.

Subsequently vide Rc.No.4011/G2/2020, Dt.10.08.2020, the Superintendent, Government General Hospital, Guntur Dt.10.08.2020 has informed that Sri.K.Anand, DPO, has not attended before the Regional Medical Board for Medical Examination scheduled on 06.08.2020.

That Sri. K.Anand, District Panchayat Officer, now under suspension failed to attend before the Medical Board, GGH, Guntur as Ordered by the Government and consequently by the Commissioner, Panchayat Raj & Rural Development, scheduled on 06.08.2020, which is a serious lapse on his part.

The Charged Officer has not attending duties as per directions of Government in PR&RD Department/ the Commissioner, PR&RD, A.P., as explained above and unauthorizedly absconded from duties. He has abstained himself from submitting his position as to why he has disobeyed the orders of higher authorities and absent to duties. He is still not attending duties before the Government.

Thus, the Government Servant rendered himself liable for departmental action for major penalty.

Hence the charges.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER
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ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES ARE FRAMED AGAINST SRI K. ANAND, DISTRICT PANCHAYAT OFFICER, NOW UNDER SUSPENSION.

1. Commissioner, PR&RD, A.P., Memo No.37/CPR/E1/2020, Dt:10.07.2020
2. Commissioner, PR&RD, AP, letter No.1187561/CPR&RD/ G1/2020, dt:20.7.2020
3. G.O.Rt.No.457, PR&RD (Mdl.II) Dept., dt: 05.08.2020
4. Joining Report, dt:10.8.2020 of Sri K. Anand, DPO.
5. letter, dt:17.08.2020 of Sri K. Anand, DPO.
6. Government Memo.No. PRR01-PROPMIS/230/2020-Mdl-II, dt:24.8.2020.
7. Government vide G.O.Rt.No.706, Panchayat Raj and Rural Development (Vig.III) Department, Dt:01.12.2020.
8. Govt. Memo No.PRR01-PROPMIS/230/2020-Vig.III, Dt:01.12.2020.
9. Commissioner, PR&RD, A.P. Memo.No.1187561/CPR&RD/G1/2020, dt:3.12.2020.
10. Superintendent, Government General Hospital, Guntur Rc.No. 4011/G2/2020, dt:29.7.2020.
11. Commissioner, PR&RD, AP, Memo No. 1187561/CPR&RD/ G1/2020, dt:4.8.2020 addressed to Sri K. Anand, DPO.
12. Superintendent, Government General Hospital, Guntur Rc.No. 4011/G2/2020, dt:10.8.2020
13. Commissioner, PR&RD, AP, letter No.1187561/CPR&RD/ G1/2020, dt:2.7.2021

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – IV

LIST OF WINESS BY WHOM ARTICULES OF CHARGES ARE FRAMED AGAINST SRI K. ANAND, DISTRICT PANCHAYAT OFFICER, NOW UNDER SUSPENSION.

1. Sri M. Girija Shankar, IAS, the then CPR&RD.
2. Sri S. Mustafa Sab, the then Deputy Secretary to Govt, PR&RD, A.P. Secretariat.
3. Sri Tekuru Venugopal, Deputy Secretary to Govt, PR&RD, A.P. Secretariat.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER